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LETTER DATED 9 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to Security Council resolution 968 (1994) of 16 December 1994 on the situation on the Tajik-Afghan border, I have the honour to communicate herewith a protest note dated 6 January 1995, issued by the Ministry of Foreign Affairs of the Islamic State of Afghanistan concerning a number of violations of the air space of Afghanistan by war planes belonging to the Russian Federation's "border forces" and the bombardment on a number of villages situated near the frontier, inside Afghanistan (see annex).

The Islamic State of Afghanistan believes that such acts of naked aggression on Afghanistan will further aggravate the situation and seriously hamper the cooperative and positive atmosphere created as a result of the recent talks on Tajikistan held under United Nations auspices.

With reference to the provisions of the above-mentioned resolution and without prejudice to the many positive elements contained in it, I also have the honour to bring the following to your attention. It represents the reaction of the Islamic State of Afghanistan to the above-mentioned resolution:

1. As a matter of principle, the Islamic State of Afghanistan, while continuing to support the United Nations initiatives and peaceful endeavours to find a just and lasting solution to the problem and in this regard to cooperate fully with Ambassador Ramiro Piriz-Ballon, the Secretary-General's personal representative for Tajikistan, was expecting that, in any consultation for the purpose of drafting such an important resolution on the situation in the Afghan-Tajik border in which Afghanistan as an essential party was affected, that it would have been involved and its views and opinions sought.

2. As has been stated in the past, Afghanistan continues to believe strongly that the endorsement by a Security Council resolution of the stationing of the armed forces of the Russian Federation under the name of the "Collective Peace-keeping Forces of the Commonwealth of Independent States" in Tajikistan, especially on the border between Afghanistan and

Tajikistan, is not a healthy course of action. This is being demonstrated in the light of the recent history of the former Soviet Union's armed aggression in Afghanistan, which produced 1.7 million deaths and immeasurable destruction to the Afghan nation, as well as of the sensitivities of the Afghan people to the continued presence of Russian forces on the border and their aggressive activities against Afghanistan.

The unjustifiable acts of provocation perpetrated by Russian border forces stationed in Tajikistan were once again demonstrated by their numerous acts of naked aggression in January 1995 on a number of villages inside Afghanistan, which caused many deaths to the civilian population and enormous destruction.

3. A comprehensive political settlement to the problem requires the identification of the basic causes of the conflict, among which a fundamental factor is undeniably an internal political crisis inside Tajikistan that has caused more than 110,000 Tajik civilians to take refuge inside Afghanistan.

Undertaking appropriate confidence-building measures by the authorities of Tajikistan will certainly enhance the chances for national reconciliation. This objective cannot be achieved without the creation of a favourable political atmosphere and conditions for the voluntary repatriation of Tajik refugees, a matter that, astonishingly enough, seems to have been overlooked in Security Council resolution 968 (1994).

4. As far as Afghanistan is concerned, it will continue to comply with the obligation assumed as regards the implementation of the Agreement of 17 September 1994 (S/1994/1102, annex I). The good intentions of the Islamic State of Afghanistan have been made clear in this matter in the statement by Mr. Najibullah Lafraie, Minister of State for Foreign Affairs of Afghanistan, in the general debate of the General Assembly on 30 September 1994 (see A/49/PV.13).

It is my expectation that you would bring the matter to the attention of the Council. I request you kindly to arrange for the circulation of the present letter and its annex as a document of the Security Council.

(Signed) Ravan A. G. FARHADI
Ambassador
Permanent Representative

Annex

Note dated 6 January 1995 from the Ministry of Foreign Affairs of Afghanistan addressed to the Ministry of Foreign Affairs of the Russian Federation and to Tajikistan

Protest note

The Ministry of Foreign Affairs of the Islamic State of Afghanistan learned with great regret that:

1. On 28, 29 and 30 December 1994, military planes of the Russian Federation's armed forces, violating the air space of the Islamic State of Afghanistan, conducted two rounds of night-time air raids on the Bahaarak district of Badakhshan province. As a result of these barbaric raids, 88 shops and 15 houses were destroyed and a number of innocent civilians were martyred and wounded.

2. According to a report provided by the 12th Frontier Regiment, on 2 January 1995, at 3.30 p.m., 22 shells were fired by Russian border forces on Wadab Maymee village.

3. On the basis of another report, on 3 January 1995, eight Russian jet bombers conducted air raids on the villages of Maymee, Waresee, Shaaj-goon, Safed-Sang, Sar-Chashma, Khojma, Tagaab and Worgon in the Darwaaz district of Badakhshan, causing the death of 3 women and 2 men, and wounding 10 persons.

4. Similarly, on the nights of 4 and 5 January 1995, the village of Waresee in the Darwaaz district came under heavy shelling from mountain mortars, causing extensive destruction.

5. According to another report, on 2 January 1995, war planes of the Russian Federation, after violating the airspace of Afghanistan, conducted 11 sorties on the Chah-i-Aab district of Takhaar Province, as a result of which a number of innocent civilians were martyred and wounded, and numerous houses damaged.

The Ministry of Foreign Affairs of the Islamic State of Afghanistan, considering these naked aggressions committed by the Russian border for the Bahaarak, Darwaaz and Chah-i-Aab districts of Takhar and Badakhs' n provinces as acts evidently contradicting the principles of good-neighbourliness, hereby conveys its strong protest to the auth Republic of Tajikistan.

The Islamic State of Afghanistan stresses that the Russian "border forces" on the territory of Afghanistan so-called response to the acts of the Tajik opposition s Afghanistan, rests on no legal or lawful grounds. The I Afghanistan once again rejects the allegations of the use by the Tajik

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opposition of Afghan territory for the conduct of attacks on the Russian border forces stationed in Tajikistan.

For the purpose of restoring peace and stability in the region, the Ministry of Foreign Affairs of the Islamic State of Afghanistan hopes that the authorities of the Republic of Tajikistan will refrain from such aggression, which would produce no result other than further aggravation of the situation and instability, as well as the killing of innocent civilians.